

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP – GADWAL - Mahabubnagar District – Makthal (Mandal) – Mustipalli (Village) - O.P.No.28/2002 & batch of (138 O.Ps) – Sanction of decretal charges of **Rs.3,07,05,514/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 880

DATE:11.12.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/980/08,
dt:25.10.2008 alongwith the letter of Spl.Collector, LA, Bheema
Project, Mahabubnagar.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.28/02 & batch of (138 O.Ps) pertaining to Mustipalli (V) Makthal (M) of Mahabubnagar District. The then Special Deputy Collector, LA, PJP, Gadwal had acquired the lands for an extent of Ac.317.26 gts situated in the limits of Mustipalli (V) Makthal (M) by fixing the market value @Rs.40,000/- to Category-I, @Rs.38,000/- to Category-II, @Rs.28,000/- to Category-III, @Rs.21,000/- to Category-IV & Category-V vide Award No.18/2001, dt:04.06.2001. Aggrieved with the market value awarded by the LAO, the Awardees have filed petitions u/s 18 (1) of the L.A. Act for adjudication. The Sr.Civil Judge, Gadwal had enhanced the amounts from Rs.40,000/- to Rs.1,00,000/-, Rs.38,000/- to Rs.62,000/-, Rs.28,000/- to Rs.70,000/- Rs.21,000/- to Rs.70,000/-. Aggrieved with the market value enhanced by the Lower Court, the SDC, LA, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P against the orders of the Lower Court. The Hon'ble High Court granted interim stay orders in all (138 O.Ps) and the Spl..Deputy Collector, LA, PJP, Gadwal deposited half of the decretal charges of Rs1,99,32,253/-in the Civil Court on 03.10.05 and 07.07.2005. Finally, the Hon'ble High Court dismissed the appeal by confirming the Lower Court orders.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.3,07,05,514/- (Rupees three crores seven lakhs five thousand five hundred and fourteen only)** in respect of O.P.No.28/02 & batch of (138 O.Ps) pertaining to Mustipalli (V) Makthal (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector will verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 - NSP- SH (26) - Dams and Distributaries - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of re-appropriation.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.4781/F2(2)/2008-1, dated 05.12.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA,Bheema Project, Mahabubnagar.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No. 28277/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER